

UNITED STATES DISTRICT COURT

for the

EASTERN DISTRICT OF VIRGINIA

NORFOLK DIVISION

.....X

Docket No.: 2:18cv605

Robert A. Heghmann, :
Plaintiff, :

vs. :

The Democratic National Committee, :
Tom Perez, Chairman, Frank Leone, :
Doris Crouse-Mays, Members, the Democratic :
Congressional Campaign Committee, Rep. Ben :
Rey Lujan, Chairman, Elaine Luria and Hon. :
Karen L. Hass, Clerk, U.S. House of :
Representatives, :
Defendants

Complaint for
Declaratory Judgment
and Injunctive Relief

Jury Trial Requested

November 16, 2018

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The Plaintiff, Robert A. Heghmann, for his Complaint alleges as follows:

1. The Democratic National Committee, hereinafter "DNC", through the Democratic Congressional Campaign Committee, hereinafter the "D-Triple-C", has engaged in numerous violations of Federal Law in connection with the Congressional Elections on November 6, 2018.
2. These violations involve (1) the DNC interfering in the candidate selection process at the District level by backing candidates selected by the D-

Triple-C as part of its Red to Blue Campaign in opposition to local candidates not part of the Red to Blue campaign, (2) systematically excluding Men and Women of Color from the “Pre-Primary” process conducted by the D-Triple-C, (3) targeting candidates who were not part of the Red to Blue campaign and forcing them out of the District Primary or using opposition research to damage their election chances and (4) using overwhelming resources including campaign contributions to defeat qualified candidates including candidates of color in the Primary.

3. Robert A. Heghmann is a citizen of the United States and currently domiciled in the State of Virginia. A Conservative, the Plaintiff usually associates with Republican voters and candidates. He has however aligned with Democrats and voted for Democratic Candidates for public office including the U.S. Senate.
4. The Plaintiff, a supporter of Donald trump, has been disillusioned with the Republican National Committee and Republicans in general including Scott Taylor. During the Primary Season in 2018 he was shopping for a candidate closer to his views.
5. The Democratic National Committee has been the leader of the Democratic Party since its founding in 1848.
6. Tom Perez is the Chairman of the DNC.

7. Frank Leone is a Member of the DNC and represents the DNC in Virginia.
8. Doris Crouse-Mays is a Member of the DNC and represents the DNC in Virginia.
9. The Democratic Congressional Campaign Committee is the vehicle created by the DNC to recruit and support candidates chosen to participate in the Red to Blue Program.
10. Rep. Ben Ray Lujan is a Member of Congress from New Mexico and is the Chairman of the D-Triple-C.
11. Elaine Luria is the candidate chosen by the D-Triple-C to run for the House of Representatives in the Second Congressional District to run against Scott Taylor.
12. Hon. Karen L. Hass is the Clerk of the U.S. House of Representatives. As one of her official duties she prepares the Roll of Members-Elect of the 116th Congress. She is named in her official capacity.
13. This action is brought by the Plaintiff individually pursuant to the United States Constitution and Amendments 14 and 15 the Declaratory Judgment Act, 28 U.S.C. Secs. 2201 and 2202. This Court has Subject Matter Jurisdiction under 28 U.S.C. Secs. 1331 and 1343 (3). Venue is proper in this District under 28 U.S.C. Sec. 1391 (a) (c) & (e).

14. Refusing to accept the result of the 2016 Presidential Campaign and the election of Donald J. Trump as President, the leaders of the Democratic Party were bound and determined to remove President Trump by Impeachment. To do that the Democratic Party must gain control of the House of Representatives where the process of Impeachment begins.

15. In order to obtain control of the House of Representatives the DNC on behalf of the Democratic Party used the D-Triple-C to hijack the Primary Election System in some 95 Districts. They began this process by selecting approved candidates as part of its Red to Blue Program who were selected in a Pre-Primary Selection Process totally removed from the actual Primaries being conducted locally in each District.

16. The D-Triple-C studied the Cook Political Report and the 55 Districts in which Republicans were currently in office and where demographics might determine the outcome of the 2018 election. The D-Triple-C decided that their best chance to “flip” those districts and others was to nominate white candidates, preferably women. Therefore, the D-Triple-C selected 88 white candidates to the exclusion of candidates of color for its Red to Blue Program.

17. When civil rights groups saw the “lily white” complexion of the Red to Blue Candidate list, they complained vigorously. As a result, the D-Triple-

C did add 8 minority candidates to the Red to Blue Program to balance the ledger and run in mainly minority-majority Districts. Despite this late addition, the Red to Blue Program was comprised of 95 candidates of which 88 (including Elaine Luria) or 91.6% were White and 8 or 8.4% were minority. Needless to say, the Pre-Primary Selection Process adopted by the D-Triple-C violated the 14th and 15th Amendments to the Constitution.

18. With the Pre-Primary Selection Process complete, the D-Triple-C corrupted the state primaries. First, it went into their selected districts and announced its selection for the nomination to the exclusion of all other candidates, hereinafter local candidates, including candidates of color who had been campaigning sometimes for months. This had an immediate impact upon the local candidates and their ability to attract political contributions as well as votes. The D-Triple-C then put enormous resources behind the Red to Blue Candidate and literally “swamped” the local candidates who were totally unable to compete thereby guaranteeing the Red to Blue candidate was nominated. These tactics violated Federal Law and the Constitution of the United States.

19. Where local candidates persisted in their campaigns, the DNC used political muscle to force them out of the race. In one case the Number 2

leader in the Democratic House Caucus, Denny Hoyer, ordered the local candidate out of the race. In a second instance the DNC released opposition research in order to drive the local candidate out or reduce the local candidate's ability to compete. These tactics violated Federal Law and the Constitution of the United States.

COUNT 1

Violation of Federal Law and the Constitution of the United States

20.The Plaintiff re-alleges and incorporates by reference the allegations contained in paragraphs 1 thru 19.

21.The involvement of the DNC through the D-Triple-C and its Red to Blue Candidates in the Primary Process violated Federal Law and the Constitution of the United States.

COUNT 2

Violation of Federal Law and the Constitution of the United States

22.The Plaintiff re-alleges and incorporates by reference the allegations contained in paragraphs 1 thru 21.

23.The Pre-Primary Selection Process which systematically excluded Men and Women of Color violated Federal Law and the Constitution of the United States.

WHEREFORE, the Plaintiff demands:

1. A Declaratory Judgment declaring that the activities of the DNC and the D-Triple- C in both the Pre-Primary and the State Primaries to be in violation of Federal Law and the Constitution of the United States;
2. A Declaratory Judgment that the nomination of the Red to Blue Candidates be declared Null and Void as obtained in violation of Federal Law and the Constitution of the United States;
3. A Preliminary and Permanent Injunction directing the Clerk of the House not to include the Red to Blue Candidates who allegedly received the most votes in the Roll of Members-Elect;
4. An Order that the Candidates in the states where the Red to Blue Candidates were successful and who received the most votes without violating Federal Law and the Constitution of the United States be included in the Roll of Members-Elect for the 116th Congress;
5. Such other relief that the Court deems appropriate;
6. Award of court costs and expenses to the Plaintiff.

The Plaintiff

A handwritten signature in black ink, appearing to read 'Robert A. Heghmann', with a long horizontal flourish extending to the right.

Robert A. Heghmann